

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

: SEALED INFORMATION

- v. -

:

BACHAR WEHBE,

a/k/a "Farez,"

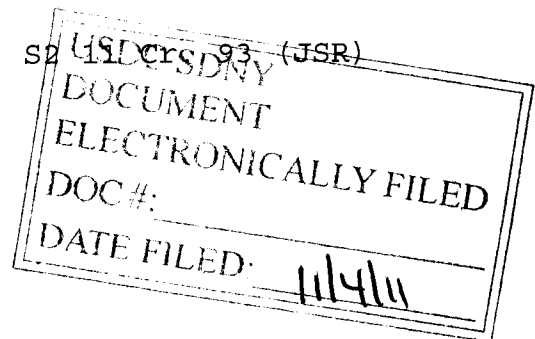
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Defendant.

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COUNT ONE

**(Conspiring to Provide Material Support to
a Foreign Terrorist Organization)**

The United States Attorney charges:

1. From in or about February 2011, up to and including in or about July 2011, in Romania, Cyprus, Malaysia, and elsewhere, in an offense occurring in and affecting interstate and foreign commerce, begun and committed outside of the jurisdiction of any particular State or district of the United States, BACHAR WEHBE, a/k/a "Farez," the defendant, who was first brought to and arrested in the Southern District of New York, and others known and unknown, knowingly did combine, conspire, confederate and agree together and with each other to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), to a foreign terrorist organization, namely, Hizballah, which has been designated by the United States Secretary of State as a foreign terrorist organization since in or about 1997.

2. It was a part and an object of the conspiracy that BACHAR WEHBE, a/k/a "Farez," the defendant, and others known and unknown, would and did knowingly provide Hizballah with material support and resources, including, among other things, weapons, explosives, and personnel, knowing that Hizballah was a designated terrorist organization (as defined in Title 18, United States Code, Section 2339B(g)(6)), that Hizballah engages and has engaged in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act), and that Hizballah engages and has engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), in violation of Title 18, United States Code, Section 2339B.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, BACHAR WEHBE, a/k/a "Farez," the defendant, and others known and unknown, committed the following overt acts, among others:

a. On or about April 26, 2011, in Cyprus, WEHBE and two conspirators not named as defendants herein ("CC-1" and "CC-2"), met with two confidential sources working for the Drug Enforcement Administration ("CS-1" and "CS-2") and discussed the purchase of weapons, including Igla surface-to-air missiles, AK-47 and M-4 rifles, and Glock handguns.

b. In or about May 2011, WEHBE sent CS-1 and CS-2 an email that contained a list of the weapons WEHBE wished to purchase from CS-1 and CS-2, including weapons manufactured in the United States.

c. On or about June 12, 2011, in Kuala Lumpur, Malaysia, CC-2 and WEHBE met with CS-1 and CS-2 and discussed the purchase of weapons, Igla surface-to-air missiles, AK-47 rifles, and American-made Stinger surface-to-air missiles, M107 .50 caliber sniper rifles, and M-4 rifles. During that discussion, CS-2 advised CC-2 and WEHBE that the Stinger missiles would be obtained from an American base in Germany.

d. During the meeting on or about June 12, 2011, WEHBE stated that he was purchasing the weapons on instructions from Hizballah.

e. On or about June 13, 2011, in Kuala Lumpur, Malaysia, CC-2 and WEHBE signed a written contract for the purchase of 48 Stinger surface-to-air missiles, 100 Igla surface-to-air missiles, 5,000 AK-47 rifles, 1,000 M4 rifles, and 1,000 Glock handguns, for a total price of approximately \$9.5 million.

f. On or about June 28, 2011, in Beirut, Lebanon, WEHBE and co-conspirators not named as defendants herein caused approximately \$50,000, as a down payment for the purchase referenced in subparagraph (e), to be sent to the CSs.

g. On or about June 29, 2011, in Beirut, Lebanon, WEHBE and co-conspirators not named as defendants herein

caused approximately \$50,000, as a further down payment for the weapons purchase referenced in subparagraph (e), to be sent to the CSs.

(Title 18, United States Code, Sections 2339B(a)(1),
(d)(1)(C), (d)(1)(E) and 3238.)

COUNT TWO

**(Conspiring to Acquire, Transfer, and
Possess Anti-Aircraft Missiles)**

The United States Attorney further charges:

4. From in or about February 2011, up to and including in or about July 2011, in Romania, Cyprus, Malaysia, and elsewhere, in an offense occurring in and affecting interstate and foreign commerce, begun and committed outside of the jurisdiction of any particular State or district of the United States, BACHAR WEHBE, a/k/a "Farez," the defendant, who was first brought to and arrested in the Southern District of New York, and others known and unknown, and in an offense committed against property that was owned, leased, and used by the United States and by a department and agency of the United States, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to acquire, transfer directly and indirectly, receive, possess, import, and export:

(a) an explosive and incendiary rocket and missile that is guided by a system designed to enable the rocket and missile to seek and proceed toward energy radiated and reflected from an aircraft and

toward an image locating an aircraft, and otherwise direct and guide the rocket and missile to an aircraft; (b) a device designed and intended to launch and guide said rocket and missile; and (c) a part and combination of parts designed and redesigned for use in assembling and fabricating said rocket, missile, and device.

5. It was a part and an object of the conspiracy that BACHAR WEHBE, a/k/a "Farez," the defendant, and others known and unknown, would and did knowingly acquire, transfer directly and indirectly, receive, possess, import, and export surface-to-air guided missile systems, some of which were manufactured in the United States and that were represented to be the property of the United States, in violation of Title 18, United States Code, Section 2332g.

Overt Acts

6. In furtherance of the conspiracy and to effect the illegal object thereof, BACHAR WEHBE, a/k/a "Farez," the defendant, and others known and unknown, committed the overt acts set forth in Count One of this Information, which are fully incorporated by reference herein.

(Title 18, United States Code,
Sections 2332g(a)(1), (b)(1), (b)(4), (b)(5), (c)(1) and 3238.)

COUNT THREE

(Obstruction of Justice)

The United States Attorney further charges:

7. On or about July 25, 2011, in the Republic of the Maldives, BACHAR WEHBE, a/k/a "Farez," the defendant, knowingly and corruptly altered, destroyed, mutilated, and concealed a record, document, and other object, and attempted to do so, with the intent to impair the object's integrity and availability for use in an official proceeding, which proceeding is now pending in the Southern District of New York, and otherwise obstructed, influenced, and impeded an official proceeding, which proceeding is now pending in the Southern District of New York, and attempted to do so, to wit, WEHBE destroyed a SIM card in his cellular telephone after learning that he was wanted by American authorities.

(Title 18, United States Code, Sections 1512(c) and (i).)

FORFEITURE ALLEGATION AS TO COUNTS ONE AND TWO

8. The allegations contained in Counts One and Two of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(G), and Title 28, United States Code, Section 2461(c).

9. The violations of Title 18, United States Code, Sections 2332B and 2332g, alleged in Counts One and Two of this

Information were Federal crimes of terrorism, as defined in 18 U.S.C. § 2332b(g)(5), against the United States and its property.

10. BACHAR WEHBE, a/k/a "Farez," the defendant, was engaged in planning and perpetrating a Federal crime of terrorism against the United States and its property.

11. Upon conviction of any of the offenses in violation of Title 18, United States Code, Sections 2332B and 2332g, alleged in Counts One and Two of this Information, BACHAR WEHBE, a/k/a "Farez," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(G)(i), and Title 28, United States Code, Section 2461(c), all right, title, and interest in all assets, foreign and domestic, derived from, involved in, and used and intended to be used to commit a Federal crime of terrorism against the United States, citizens and residents of the United States, and their property.

12. Upon conviction of any of the offenses in violation of Title 18, United States Code, Sections 2332B and 2332g, alleged in Counts One and Two of this Information, BACHAR WEHBE, a/k/a "Farez," the defendant, shall pay to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(G), and Title 28, United States Code, Section 2461(c), and a money judgment equal to the value of the assets subject to forfeiture under Paragraphs 8 through 11 above.

(Title 18, United States Code, Section 981(a)(1)(G) and Title 28, United States Code, Section 2461(c).)


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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Defendant.

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(Title 18, United States Code, Sections
2339B, 2332g, 1512(c) & (i), 3238 &
981(a)(1)(G); and Title 28, United
States Code, Section 2461(c).)

PREET BHARARA
United States Attorney.
